



#1623

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/002,712
Filing Date	November 1, 2001
First Named Inventor	Vaisberg, Eugeni A.
Art Unit	1623
Examiner Name	
Attorney Docket Number	020552-003723US

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Total Number of Pages in This Submission

1

ENCLOSURES (Check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Return Postcard
Petition Under 37 CFR 1.48(b)
Request to Correct Inventorship
Declaration of Eugeni A. Vaisberg
Declaration of James A. Spudich
Consent of Assignee
Declaration

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual

Townsend and Townsend and Crew LLP

Scott L. Ausenhus

Reg. No. 42,271

Signature

Date

April 15, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: April 15, 2003

Typed or printed

Maisie C. Livengood

Signature

Date

April 15, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231. DE 7101295 v1



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PTO/SB/17 (01-03)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130

Complete if Known

Application Number 10/002,712
Filing Date November 1, 2001
First Named Inventor Vaisberg, Eugeni A.
Examiner Name
Group Art Unit 1623
Attorney Docket No. 020552-003723US

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Total Claims	Extra Claims	Fees from below	Fee Paid
	<input type="text"/>	-** =	<input type="text"/>	<input type="text"/>
Independent Claims	<input type="text"/>	-** =	<input type="text"/>	<input type="text"/>
Multiple Dependent	<input type="text"/>	X	<input type="text"/>	<input type="text"/>

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Fee Code	Large Entity	Small Fee Code	Small Entity	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$)130

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Scott L. Arsenhus	Registration No. (Attorney/Agent)	42,271	Telephone	303-571-4000
Signature				Date	April 15, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. DE 7101296 v1



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PATENT
Attorney Docket No.: 020552-003723US
Client Ref. No.: 1018D

Assistant Commissioner for Patents
Washington, D.C. 20231

On April 15, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Marcus C. Savary

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hartman, et al.

Application No.: 10/002,712

Filed: November 1, 2001

For: HIGH THROUGHPUT
SARCOMERIC ASSAY

Examiner:

Art Unit: 1623

REQUEST TO CORRECT INVENTORSHIP
UNDER 37 C.F.R. §1.48(c)

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant requests under 37 C.F.R. §1.48(c) to add Eugeni A. Vaisberg and James A. Spudich as inventors to the above-identified patent application.

As required by 37 C.F.R. §1.48(c), the following are submitted herewith:

- (1) Statements from Eugeni A. Vaisberg and James A. Spudich stating that it was through error without deceptive intent that they were not named as inventors in the above-identified patent;
- (2) Executed declarations by joint inventors Eugeni A. Vaisberg, James A. Spudich and James J. Hartman in accordance with 37 C.F.R. §1.63; and
- (3) Written consent from the assignee Cytokinetics, Inc.

Application No. 10/002,712
Request to Correct Inventorship

Please deduct the request fee of \$130.00, pursuant to 37 C.F.R. §1.17(i), from Deposit Account No. 20-1430 of the undersigned. Please charge any additional fees or credit overpayment to the above Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Ausenhus", written in a cursive style.

Scott L. Ausenhus
Reg. No. 42,271

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